

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ROBERTO MARTINEZ VILLA  
#223949

Plaintiff,

Case No. 5:02cv128

v.

Hon. Gordon J. Quist

DENNIS M. STRAUB,

Defendants.

\_\_\_\_\_ /

**ORDER AND JUDGMENT  
APPROVING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on April 26, 2005. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed April 26, 2005, is **APPROVED AND ADOPTED** as the opinion of the court.

**IT IS FURTHER ORDERED** that plaintiff's habeas petition is **DISMISSED**.

/s/Gordon J. Quist  
Hon. Gordon J. Quist  
U.S. District Judge

Dated: May 19, 2005